



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes BOARD OF ZONING APPEALS

James A. Mills, Ward 3, Chairman
J. K. Lowman, Ward 2, Vice Chairman
Susan Grant, Ward 1
G. Marshall Dye, Ward 4
Steven A. Carson, Ward 5
William "Bill" J. Martin, Ward 6
Neil Bishop, Ward 7

Monday, January 30, 2012

6:00 PM

City Hall Council Chambers

Present: J. K. Lowman, G. Marshall Dye, James A. Mills, Susan Grant, Steven A. Carson, William "Bill" J. Martin
Absent: Neil Bishop

Staff:

Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Kyethea Clark, Urban Planner
Daniel White, City Attorney

CALL TO ORDER:

Chairman Mills called the January 30, 2012 Board of Zoning Appeals to order at 6:00 p.m.

MINUTES:

20120042

December 19, 2011 Regular Board of Zoning Appeals Meeting Minutes

Review and Approval of the December 19, 2011 Board of Zoning Appeals Meeting Minutes

A motion was made by Board member J. K. Lowman, seconded by Board member William "Bill" J. Martin, that this matter be Approved and Finalized . The motion carried by the following vote:

Absent: 1 - Board member Bishop

VARIANCES:

20111198

V2012-01 The Walker School 700 Cobb Parkway North

V2012-01 [VARIANCE] THE WALKER SCHOOL request variance for property located in Land Lot 10180, District 16, Parcel 0070 and being known as 700 Cobb Parkway North.

Variance to allow two freestanding monument signs, less than 6 feet in height with a 24"x 54" LED changeable reader board to be located along an internal driveway. Ward 5.

File #20111198 (V2012-01) was presented by Mr. Roth for property located in Land Lot 10180, District 16, Parcel 0070 and being known as 700 Cobb Parkway North.

Jacki Porubiansky, the facilities manager for Walker School, is asking for a variance for Walker School to allow two freestanding monument signs, with a 24" x 54" LED changeable reader board.

Mrs. Porubiansky stated that the signs will be located in the far north and far south of the parking lot so they will not face Cobb Parkway. Mrs. Porubiansky agreed to screening of signs with additional landscape. Signs are intended for carpool pickup, notification to parents of upcoming events, last minute reminders, announcements, and events for students and parents. These informative signs are not intended for traffic along Cobb Parkway.

Mr. Lowman and Mrs. Porubiansky clarified that both signs will not face Cobb Parkway, brightness will be operated at <.2, LED will not be red but another color or amber color, has a photo cell that can adjust to brightness.

Ms. Grant questioned as to whether the signs will be changing. Mrs. Porubiansky stated that it will change due to the number of events taking place. There will be no flashing or scrolling as agreed upon by Mrs. Porubiansky.

According to Mrs. Porubiansky, the display will be LED display and the message will change every few seconds.

Other schools have these type signs and find them to be very informative.

It would be very helpful to have these signs, as it is difficult to reach all parents, emails are out of control, and this is the most effective way to communicate. Mrs. Porubiansky is not opposed to stipulations.

Mr. Carson made a motion, seconded by Mr. Lowman, to approve the variance, as follows:

- *Variance to allow two freestanding monument signs, less than 6 feet in height with a 24" x 54" LED changeable reader board be located along an internal driveway, with the following stipulations:*

- ☐ *The sign shall contain static messages only and shall not have movement nor flashing on any part of the sign structure, design, or pictorial segment of the sign; nor shall such sign have varying light intensity during the display of any single message.*
- ☐ *The signs shall not operate at a brightness level more than 0.2 foot candles above ambient light levels, as measured 150 feet away, and shall not contain red LED.*
- ☐ *Each sign shall have a light sensing device that will adjust the brightness of the display as the natural ambient light conditions change.*

☐ *The signs will not face the street or cause any obstruction to drivers on Cobb Parkway*

The rationale being that granting this application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. Motion carried 6 – 0.

A motion was made by Board member Steven A. Carson, seconded by Board member J. K. Lowman, that this matter be Approved as Stipulated . The motion carried by the following vote:

Absent: 1 - Board member Bishop

20111199

V2012-02 Lucas Mejia 1157 Roswell Road

V2012-02 [VARIANCE] LUCAS MEJIA request variance for property located in Land Lot 12110, District 16, Parcel 0680 and being known as 1157 Roswell Road. Variance to increase the wall sign allowance from 15% to 25.3% along the south facing wall. Variance to increase the wall sign allowance from 15% to 20.5% along the east facing wall. Ward 6.

File #20111199 (V2012-02) was presented by Mr. Roth for property located in Land Lot 12110, District 16, Parcel 0680 and being known as 1157 Roswell Road.

The applicant and general manager of Presto Latin Cantina, Lucas Mejia, is requesting a variance to increase the wall sign allowance from 15% to 25.3% along the south facing wall and a variance to increase the wall sign allowance from 15% to 20.5% along the east facing wall.

Although the signs are not in compliance with city code, Mr. Mejia stated that an artist made these signs and the customers comment on how nice they are. Mr. Mejia has also had people stop by and ask who made the signs.

Mr. Lowman gave a brief scenario of how the signs could work if certain designs are removed. After further discussion on how to make the signs work, Mr. Mejia agreed to work with staff to make the signs more code compliant and not have to come back again before the Board.

Chairman Mills made a motion, seconded by Mr. Martin, to continue this request to the March 26, 2012 Board of Zoning Appeals Meeting. Motion carried 6 – 0.

A motion was made by Board member James A. Mills, seconded by Board member William "Bill" J. Martin, that this matter be Tabled . The motion carried by the following vote:

Absent: 1 - Board member Bishop

20111200

V2012-03 Mary J. Karwoski 789 Cobb Parkway South

V2012-03 [VARIANCE] MARY J. KARWOSKI request variance for property located in Land Lot 05730, District 17, Parcel 0040 and being known as 789 Cobb Parkway South. Variance to reduce the required tree density from 172.25 units to 9 units. Ward 7.

File #20111200 (V2012-03) was presented by Mr. Roth for property located in Land Lot 05730, District 17, Parcel 0040 and being known as 789 Cobb Parkway South.

The applicant, Mary J. Karwoski representing Ed Voyles Chevrolet, is requesting a variance to reduce the required tree density from 172.25 units to 9 units.

At some point, all of the trees were removed for various reasons. A total of 20 replacement trees were proposed; however, staff recommends 25 units per acre for disturbed area with an additional 17 trees to meet recommendation.

In the disturbed area, the density will be 25 units per acre primarily of hollies or some type of acceptable hardwoods in 15 gallon size range.

Mr. Dye confirmed with Mr. Roth that hollies are considered trees that can be planted for unit credit and crepe myrtles and shrubs would not be planted for credit. What Mrs. Karwoski is proposing is what has been identified in the staff report.

Since only a small portion of the site was physically disturbed, Chairman Mills made a motion, seconded by Mr. Dye, to assign 9 units for the disturbed area only. Any tree density that cannot be planted on site would have to be accounted for by paying into the alternate tree fund as calculated by the city zoning office. The rationale being that granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. Motion carried 6 – 0.

A motion was made by Board member James A. Mills, seconded by Board member G. Marshall Dye, that this matter be Approved as Stipulated . The motion carried by the following vote:

Absent: 1 - Board member Bishop

ADJOURNMENT:

The January 30, 2012 Board of Zoning Appeals Meeting adjourned at 6:38 p.m.

JAMES A. MILLS, CHAIRMAN

PATSY BRYAN, SECRETARY